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Note verbale dated 14 April 2006 from the Permanent Mission of Romania to the United Nations addressed to the President of the General Assembly

The Permanent Mission of Romania to the United Nations presents its compliments to the President of the General Assembly and, in response to the note dated 4 April 2006 announcing Romania's candidature to the Human Rights Council, has the honour to present a document detailing Romania's contribution to the promotion and protection of human rights as well as its voluntary pledges and commitments in accordance with General Assembly resolution 60/251 (see annex).

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Annex to the note verbale dated 14 April 2006 from the Permanent Mission of Romania to the United Nations addressed to the President of the General Assembly

Human Rights Council: Romania's voluntary pledges and commitments on human rights in accordance with General Assembly resolution 60/251

1. The Government of Romania has decided to present its candidature for the Human Rights Council, as a confirmation of its long-standing commitment to developing and strengthening the role of the United Nations in the universal promotion and protection of human rights.

2. Over the years, Romania has been actively involved in promoting the principles upheld by the UN, including through the dissemination of the ideals and universally accepted principles and norms enshrined in the United Nations Charter, the Universal Declaration of Human Rights and relevant international human rights instruments.

3. Fully engaged in the efforts carried out universally to promote and protect the human rights and fundamental freedoms, Romania strongly supports all mechanisms and instruments aimed at the full and effective implementation and further development of international human rights law.

Romania has assumed the highest international standards in the area of human rights, becoming party to all the major regional and international treaties and protocols in the field of human rights, international humanitarian law and refugee law.

4. Up to the present, **Romania has ratified the most important universal treaties**, such as: the International Covenant on Civil and Political Rights and its Optional Protocols, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and its Optional Protocol, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Prevention and Punishment of the Crime of Genocide, the four Geneva Conventions and the two Additional Protocols, and the Rome Statute of the International Criminal Court.

5. The provisions of these treaties and of the Universal Declaration of Human Rights are directly **applicable within the Romanian legal framework**. Furthermore, in accordance with the Romanian Constitution, where **any inconsistencies occur** between the covenants and treaties on fundamental human rights Romania is a party to, and the national laws, **the international norms prevail**, unless the Constitution or the domestic legislation provides for higher standards of protection.

6. The Romanian authorities pay **constant attention to matters related to the implementation** of human rights norms. Over the last sixteen years, a thorough process of **reform** has been carried out in order to bring the national **legislation and institutional mechanism in full compliance** with the relevant international requirements. The **Romanian authorities and the civil society cooperate closely** in order to ensure the full implementation of these norms.

7. The opinions expressed by international fora, aiming at developing and reinforcing the human rights protection system within Romania, are highly valued, and their implementation is consistently pursued by the Romanian authorities. In accordance with this policy, Romania issued a **standing and open invitation to the mandate holders of all special procedures** of the Human Rights Commission. Some of them have already paid such visits (e.g. the Special Rapporteur on adequate housing – 2002; the Special Rapporteur on freedom of religion or belief – 2003; Special Rapporteur on the right to health -2004).

8. **Romania has accepted the competence of the Committee on the Elimination of Racial Discrimination under Article 14** of the relevant Convention and created a **National Council for Combating Discrimination – the first institution of this nature in Central and Eastern Europe**, whose main function is to ensure the implementation of the principle of equality among citizens, without interference from other public authorities.

9. The promotion of democracy, rule of law and human rights represents one of the most important objectives of the Romanian foreign policy. Romania will **continue to support actively any international organs and institutions** aiming at preventing and combating violations of fundamental human rights and freedoms, at developing existent standards, and at supporting Member States with the necessary assistance for the improvement of their human rights protection system.

10. **If elected**, Romania will work to make the **Human Rights Council** a **genuine contributor to the UN machinery** to promote and protect human rights and, in this respect, will strive to:

- Ensure that the new body will become a **powerful and effective** tool to be used, promptly and wherever need be, in the defense of human rights and fundamental freedoms, to be treated on the same footing and with the same emphasis;
- **Streamline and strengthen the mechanisms** represented by the Special Rapporteurs and other Special Procedures;
- Advocate for the establishment of a **peer-review** mechanism that provides for an **objective, accurate and balanced** analysis of the human rights situations in various countries;
- Promote **dialogue** between members of the Council and all UN member states, bearing in mind theirs national and regional particularities and various national, religious and cultural backgrounds, with the view to improving the **transparence** and to ensuring **inclusiveness** in the Council deliberations;
- Participate actively in the work of the Council, including with **initiatives** such as the resolutions co-sponsored by an great number of states from all regional groups, successfully adopted by the Human Rights Commission: "The promoting and the consolidation of democracy" (2000), "The ways and means to promote and consolidate democracy" (2001), "The interdependence between democracy and human rights" (2003), "Enhancing the role of the regional, sub-regional and other organizations and arrangements in promoting and consolidating democracy" (2004) and "Democracy and the rule of law" (2005),

- Encourage the **interaction** between Council and various components of the **civil society**, especially by stimulating **NGOs contributions** at various stages ;

11. The Romanian authorities remain **committed to contributing to the universal respect and implementation the highest standards and norms** in the field of human rights and, in this respect, undertakes to:

- Promote the **recognition and acceptance of the conclusions and recommendation of the global conferences** on human rights and related issues, including the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban in 2001;
- Encourage other states to become **parties to the main human rights treaties** and implement their provisions and, in this context, to finalize its domestic procedure of **ratification of the Optional Protocol** of the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment and Punishment and the ratification procedure;
- Participate actively in the debate over the **elaboration of new international legal instruments or improvement of the existing ones**, including by supporting the adoption of the draft International Convention for the Protection of All Persons from Enforced or Involuntary Disappearance, the negotiation and an early approval of the draft of the Comprehensive and Integral International Convention on the Protection and the Promotion of the Rights and Dignity of Persons with Disabilities and the drafting of an additional Protocol to the UN Covenant on Economic, Social and Cultural Rights;

12. Romania will contribute, through bilateral dialogue and using the network of regional and sub regional organizations and arrangements, to the promotion of **democracy, good governance and rule of law**, including in the Balkans and across the Black Sea;

13. Romania will strongly **back the efforts to strengthen the Office of the United Nations High Commissioner for Human Rights**, including the doubling of its resources from the UN regular budget, in order to enable it to carry its functions more effectively. Romania will seek possibilities, to the best of its abilities, to make voluntary contributions to structures within the UN human rights system.